WORKING COPY

STATE WATER RESOURCES CONTROL BOARD X3386

MINIMUM FILING FEE: $1,540.00
FILE ORIGINAL & ONE COPY
TYPE OR PRINT IN BLACK INK
(For explanation of parties required, see booklet "How to File an Application to Appropriate Water in California")

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS 02 FEB -7 AM 9:22
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

WATER RIGHTS
SACRAMENTO

APPLICATION TO APPROPRIATE WATER

APPLICATION No. 31534
(Leave Blank)

1. APPLICANT

Stockton East Water District (209) 948-0333
(Name of applicant) (Telephone - between 8 a.m. and 5 p.m.)

General Manager

Post Office Box 5157 Stockton California 95205-0157
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

(2) Bellotta weir (3) old Calaveras River Headworks (5) old Calaveras Riv. Rediversion Facility to Alliance Canal (4) Mormon slough (Rediversion facility to proposed Alliance Canal) tributary to Stockton Diverting Canal

a. The name of the source at the point of diversion is (1) Calaveras River (New Hogan Dam)
(If unnamed, state that it is an unnamed stream, spring, etc.)

(2) Unnamed Calaveras River tributary to (1) San Joaquin River

b. In a normal year does the stream dry up at any point downstream from your project? YES [XX] NO [ ]
If yes, during what months is it usually dry? From See attached. to
What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? See attached.

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of San Joaquin & Calaveras County
and within Assessor's Parcel Number (APN #) various - see attached.

b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
	¼ of ¼				
See attached.	¼ of ¼				
	¼ of ¼				

c. Does applicant own the land at the point of diversion? YES [ ] NO [XX]

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: See attached.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov".
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

4. PURPOSE of USE, AMOUNT and SEASON

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

6/30/04

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Municipal							
[illegible]	500 cfs	255,000	[illegible]	9-30	255,000	[illegible]	9-30
Water Quality		See attached.					
Fish & wildlife							
Irrig.							
[illegible]		[illegible]			[illegible]		

[illegible] groundwater [illegible] recharge

b. Total combined amount taken by direct diversion and storage during any one year will be 255,000 acre-feet.

5. JUSTIFICATION of AMOUNT

See July 2006 map

a. IRRIGATION: Maximum area to be irrigated in any one year is ~~130,000~~ 100,000 acres.
[illegible] acres

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
[illegible]	130,000	[illegible]	[illegible]	3-1	11-30
vineyard, alfalfa, grain [illegible]	[illegible]		[illegible]		
[illegible]					
[illegible]					

b. DOMESTIC: Number of residences to be served is _______. Separately owned? YES ☐ NO ☐
Total number of people to be served is ______. Estimated daily use per person is __________ (Gallons per day)
Total area of domestic lawns and gardens is __________ square feet.
Incidental domestic uses are ____________________
(Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock______________ Maximum number ____________
Describe type of operation: ____________________
(Feed lot, dairy, range, etc.)

d: RECREATIONAL: Type of recreation: Fishing ☐ Swimming ☐ Boating ☐ Other ☐

e. MUNICIPAL: (Estimated projected use)

POPULATION 5-Year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
Present						
		See attached.				

Month of maximum use during year is __________. Month of minimum use during year is __________.

f. HEAT CONTROL: The total area to be heat protected is _____ net acres.
Type of crop protected is _____
Rate at which water is applied to use is _____ gpm per acre.
The heat protection season will begin about _____ (Date) and end about _____ (Date).

g. FROST PROTECTION: The total area to be frost protected is _____ net acres.
Type of crop protected is _____
Rate at which water is applied to use is _____ gpm per acre.
The frost protection season will begin about _____ (Date) and end about _____ (Date).

h. INDUSTRIAL: Type of industry is _____
Basis for determination of amount of water needed is _____

i. MINING: The name of the claim is _____. Patented ☐ Unpatented ☐
The nature of the mine is _____. Mineral to be mined is _____
Type of milling or processing is _____
After use, the water will be discharged into _____ (Name of stream)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____B. & M. (40-acre subdivision)

j. POWER: The total fall to be utilized is ____ feet. The maximum amount of water to be used through the penstock is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is _____ (Cubic feet per second x fall ÷ 8.8). Electrical capacity is _____ (Ap x 0.746 ÷ efficiency) kilowatts at _____% efficiency.
After use, the water will be discharged into _____ (Name of stream)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____B. & M. FERC No._____ (40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☒ XX NO ☐ If yes, list specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information form APP-ENV.

l. OTHER: Describe use: See attached. Basis for determination of amount of water needed is See attached.

6. PLACE OF USE

a. Does applicant own the land where the water will be used? YES ☐ NO ☒ XX Is land in joint ownership? YES ☐ NO ☒ XX
(All joint owners should include their names as applicants and sign the application.)
If applicant does not own land where the water will be used, give name and address of owner, and state what arrangements have been made with the owner. See attached.

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
¼ of ¼						
¼ of ¼			See attached.			
¼ of ¼			Refer to map dated July 2006			
¼ of ¼						
¼ of ¼						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

7. DIVERSION WORKS

6/30/04

a. Diversion will be by gravity by means of channels (Mormon Slough and Calaveras River) and pipe; see also Points of Diversion, Part 3a (Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. (1) Diversion will be by pumping from channel Pump discharge rate 3 cfs Horsepower 25 hp
(Depth of the well_____) (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
Pipe	RCP	54"	500	20	-	75 cfs
Channel	Earthen Channels		160,000	180	-	12,500 cfs

d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
n/a							

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
n/a				

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be n/a cfs. Diversion to offstream storage will be made by: ☐ Pumping ☐ Gravity

8. COMPLETION SCHEDULE

a. Year work will start see attached. b. Year work will be completed see attached.
c. Year water will be used to the full extent intended see attached. d. If completed, year of first use see attached.

9. GENERAL

a. Name of the post office most used by those living near the proposed point of diversion is Linden.
Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES [XX] NO [ ]
If yes, state name of the subdivision see attached.
If no, is subdivision of these lands contemplated? YES [ ] NO [ ]
Is it planned to individually meter each service connection? YES [XX] NO [ ] If yes, when? upon connection.

b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: see attached list.

c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES [ ] NO [X] If yes, explain The Calaveras River has minimal hydrologic continuity with the San Joaquin River which is used for navigation.

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES [ ] NO [XX]
If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

11. AUTHORIZED AGENT (Optional)

With respect to [XX] all matters concerning this water right application [ ] those matters designated as follows:

JEANNE M. ZOLEZZI, ESQ. (209) 472-7700
(Name of agent) (Telephone number of agent between 8 a.m. and 5 p.m.)

HERUM CRABTREE BROWN
2291 W. March Lane, Suite B100 Stockton California 95207
(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated _____ 20__, at Stockton, California
Cover letter was dated 1-17-02

Ms. Mr.
Miss. Mrs. Andrew Watkins
(Signature of applicant)
ANDREW WATKINS, President
STOCKTON EAST WATER DISTRICT

(If there is more than one owner of the project, please indicate their relationship.)

Ms. Mr.
Miss. Mrs. K. M. [illegible] P.E.
(Signature of applicant)
KEVIN KAUFFMAN, General Manager
STOCKTON EAST WATER DISTRICT

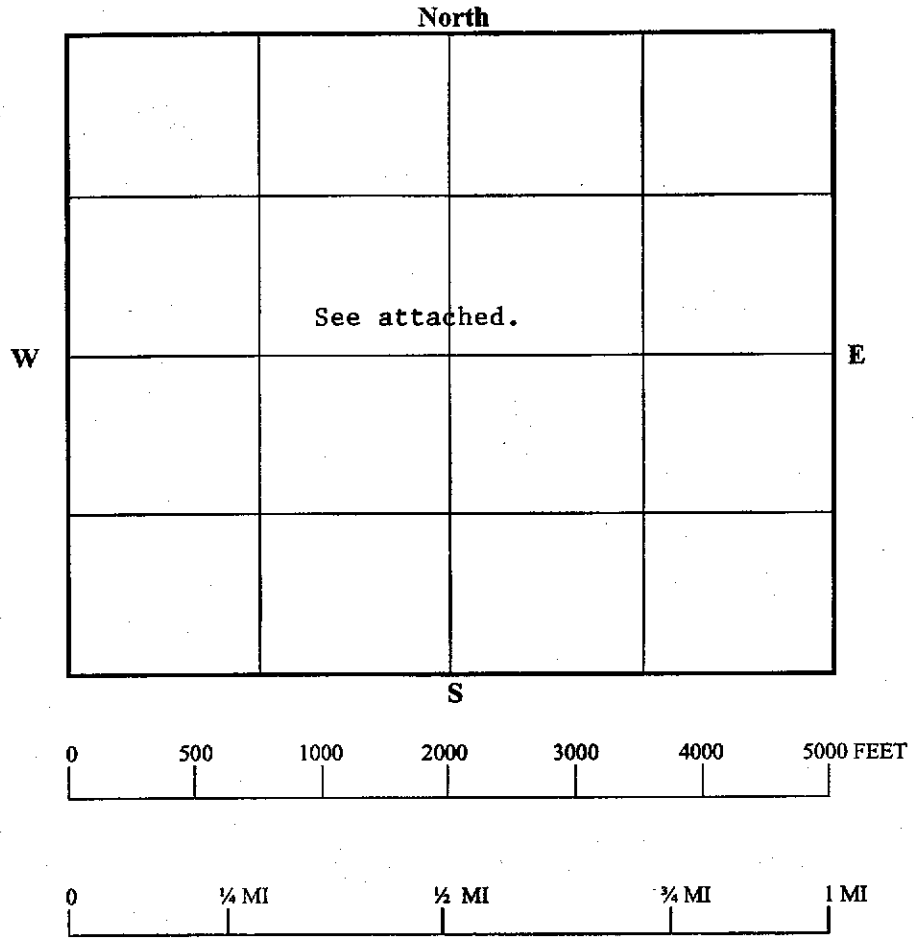
Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with $100 minimum filing fee.

NOTE:
If this application is approved for a permit, a minimum permit fee of $100 will be required before the permit is issued.

13. MAP

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) _____ TOWNSHIP_____ RANGE _____, _____B. & M.



(1) Show location of the stream or spring, and give name.
(2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
(3) Show location of the main ditch or pipeline from the point of diversion.
(4) Indicate clearly the proposed place of use of the water.

14. SUPPLEMENTAL INFORMATION

a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

ATTACHMENT TO APPLICATION
Stockton East Water District
Calaveras River
Revised November 5, 2001

1. INTRODUCTION

Reservoir Operations

A portion of the Calaveras River is currently controlled by operation of New Hogan Reservoir, through water right Permit 14434 (Application 18812) held by the United States Bureau of Reclamation (Reclamation). Operation of the reservoir is controlled by the United States Army Corps of Engineers' 1983 Water Control Manual. The maximum water conservation storage capacity of the reservoir is 317,100 acre feet (AF). The Water Control Manual designates both required reserved flood control volume and allowable water conservation storage volume. The following table is a brief summary of allowed water conservation.

TIME PERIOD	*ALLOWABLE STORAGE*
June 8 through September 30	Up to 317,100 AF
October 1 through December 1	Linearly reduced from 317,100 to152,000 AF
December 1 through January 1	152,000 AF
January 1 through March 20	Depending on rainfall quantities, linearly increased from 152,000 to 217,100 AF
March 20 through June 8	Depending on rainfall quantities, linearly increased from 152,000 to 317,100 AF

As noted, between January 1 and June 8 of each year, the allowable storage varies depending on the amount of seasonal rainfall received to date that year. If conservation storage is not drawn down to the allowable 152,000 acre feet by December 1 in each year flood control releases are undertaken to reach that level. Similarly, large seasonal rainfall amounts (greater than 12-inches) require that the 152,000 AF allowable storage amount to remain in effect until March 20 before greater storage volumes would be allowed in such a wet year, and flood control releases are then made throughout the rainy season.

In D-1179 the State Water Resources Control Board concluded that:

> "Assuming both the Calaveras District and the Federal New Hogan project in operation, the studies disclose that there would be unappropriated water available in 17 years of the 36-year study period which Stockton District could divert to underground storage. Quantities available for this purpose would range from 2,000 acre-feet in 1923 to 203,000 acre-feet in 1938. The quantity of water which could be diverted to underground storage will depend on the facilities to be provided by the Stockton District and the rate at which the water becomes available. This can only be determined after the project is in operation.
>
> Nevertheless, we conclude that there is sufficient unappropriated water from flood release at New Hogan Dam and accretions to Calaveras River below New Hogan which Stockton District could divert, to justify approval of Application 12839, subject to all other permits issued pursuant to this decision." (pages 40-41).

Historical operation of the reservoir since 1967 in accordance with the Corps' Water Control Plan and the recorded data reveal that flood control releases are made in 71% of the past 35 years. The table below illustrates that over this 35-year period, an estimated average of 91,349 AF is released each year from New Hogan Dam while in its flood control stage.

Year (10/1 - 9/30)	Total New Hogan Inflow (AF)	Total New Hogan Release (AF)	Typical New Hogan Non-Flood Control Release (AF)	Estimated Flood Control Release (AF)
1967	208,399	174,379	85,000	89,379
1968	60,669	98,715	85,000	13,715
1969	396,574	355,968	85,000	270,968
1970	192,985	212,206	85,000	127,206
1971	132,622	105,922	85,000	20,922
1972	70,229	74,918	74,918	0
1973	251,981	206,028	85,000	121,028
1974	238,816	129,237	85,000	44,237
1975	161,635	219,443	85,000	134,443
1976	18,341	67,911	67,911	0
1977	8,093	60,819	60,819	0
1978	234,957	73,206	73,206	0
1979	185,764	150,938	85,000	65,938
1980	227,759	244,022	85,000	159,022
1981	62,105	96,002	85,000	11,002
1982	459,841	288,456	85,000	203,456
1983	559,083	554,745	85,000	469,745
1984	227,847	301,708	85,000	216,708
1985	78,751	92,904	85,000	7,904
1986	328,528	264,647	85,000	179,647
1987	34,109	100,439	85,000	15,439
1988	14,850	52,886	52,886	0
1989	33,195	19,699	19,699	0
1990	30,763	30,936	30,936	0
1991	47,314	34,251	34,251	0
1992	60,121	52,215	52,215	0
1993	208,692	88,399	85,000	3,399
1994	29,949	117,533	85,000	32,533
1995	346,524	152,593	85,000	67,593
1996	208,108	266,769	85,000	181,769
1997	347,015	370,745	85,000	285,745
1998	435,990	334,769	85,000	249,769
1999	191,692	213,882	85,000	128,882
2000	195,891	181,756	85,000	96,756
2001	61,525	81,812	81,812	0
Total (35 yr)	6,350,714	5,870,856	2,673,652	3,197,204
Average	181,449	167,739	76,390	91,349

Tributary Flow Below the Dam

There are tributaries that flow into the Calaveras River below New Hogan Dam. The engineering staff analysis prepared November 27, 1963 by the predecessor to the State Water Resources Control Board concluded that tributary flow below New Hogan Dam from November 1 through May 1 is 21,800 acre feet. (USBR 28). In the 1969 Calaveras River Water Rights Study, MBK Engineers (formerly Murray, Burns & Kienlen, Consulting Civil Engineers) concluded that local flows from Jenny Lind to Bellota varied during the period of 1934-1961 from a minimum of 300 AF (1960-61) to a maximum of 32,400 af (1950-51). The Corps of Engineers, in its flood control plan, estimates local flow to be five times the measured flow at Cosgrove Creek; the annual mean stream flow Cosgrove Creek (as measured by the USGS from 1931 through 1978) was 5318 afa, thus estimating mean local flow in the Calaveras downstream from New Hogan at 26,590 afa.

Conjunctive Use

Stockton East Water District is pursuing a conjunctive use program to recharge the critically overdrafted Eastern San Joaquin County groundwater basin. A core part of that program is obtaining surplus water on local streams, including the old Calaveras River downstream of Belotta. Surplus water is diverted to recharge basins and allowed to percolate into the groundwater basin.

Prior Right

In 1948 the Stockton East Water District (then known as the Stockton and East San Joaquin Water Conservation District) filed Application 12839 to appropriate flood releases at New Hogan and accretions to the Calaveras River below new Hogan. This permit was granted for 200,000 AF annually (AFA) from November 1 through May 1. The permit was later revoked because no project had been constructed. This application seeks rights similar to those granted by the State Water Resources Control Board to the Stockton East Water District on Application 12839.

2. **SOURCE**

b. ~~In a normal year the lower Calaveras River is dry in the~~ months ~~of October~~ and November. Historically, the Calaveras River was dry in August, September and ~~October~~ every year. In most years, the river was also dry in November, May, June and July. The New Hogan Reservoir is operated to provide flows to much of the river during most of the year. However, even with operation of New Hogan Reservoir the river is dry in October and November

In the event the applicant is unable to obtain water from the project, it will utilize its other surface and groundwater supplies to provide municipal water supplies, and will not deliver water to recharge lands. The district holds a License (No. 2021) for water from the Calaveras River, and has additional surface water supplies available by contract with the Bureau of Reclamation from both the Calaveras and Stanislaus Rivers. The district and its customers, both agricultural and urban, operate jointly on a conjunctive management basis. The district will use the water applied for, when available, to supply M&I demands and to recharge the groundwater basin to repel saline intrusion. When the water is not available it will call on its other surface water supplies. If other surface water supplies are limited or unavailable, the district's ~~customers~~ rely on groundwater supplies.

see map July 2006
see also 04 letter Attachment 1

3. **POINTS of DIVERSION and REDIVERSION**

b. **Points of Rediversion with Coordinates**

trib Stockton Diverting Canal trib Calaveras River trib San Joaquin River

C-015-06-00-0 Stockton Diverting Canal

i. ~~Mormon Slough;~~ Various ~~unspecified~~ locations within ~~Mormon Slough~~ from Section 5, Township 2N, Range 9E, MDB&M to Section 26, Township2N, Range 6E, MDB&M. I-17 - Farmington Flood Control Basin (A 30602)

unst aka trib Stockton Diverting Canal trib Calaveras River

0-015-06-00-8 Stockton Diverting Canal

ii. (Old Mormon Channel); Various unspecified locations within Old Mormon Channel from Section 3, Township 1N, Range 7E, MDB&M to Section 2, Township 1N, Range 6E, MDB&M. I-15

aka unst trib mormon slough thence Stockton Diverting Channel thence Calaveras River

5-015-06-01-8

iii. Potter Creek; Various locations within Potter Creek from Section 8, Township 2N, Range 9E, MDB&M, to the confluence of Potter Creek and Mormon Slough in Section 1, Township 1N, Range 7E, MDB&M.

trib French Camp Slough thence San Joaquin River Delta Channels

5-014-00-00-0

iv. Littlejohns Creek; Various unspecified locations within Littlejohns Creek from Section 21, Township 1N, Range 9E, MDB&M to Section 4, Township 1S, Range 7E, MDB&M.

unst aka trib Littlejohns Creek I-16

5-014-00-00-8 Littlejohns Creek

v. (Temple Creek); Various unspecified locations within Temple Creek from Section 20, Township 1N, Range 9E, MDB&M to the confluence of Temple Creek and Lone Tree Creek at Section 14, Township 1S, Range 7E, MDB&M. I-15

5-015-00-00-0 see A30602

vi. Calaveras River: Various unspecified locations within the Calaveras River, from Section 36, Township 3N, Range 9E, MDB&M to Section 26, Township 1N, Range 6E, MDB&M, which includes the existing Stockton East Water District municipal and industrial, and agricultural diversions located in the South-half of Section 5 Township 2N, Range 9E, MDB&M.

unst aka trib Calaveras River

5-015-00-00-8 Calaveras River

vii. (Mosher Creek); Various unspecified locations within Mosher Creek, from Section 2, Township 2N, Range 8E, MDB&M to Section 12, Township 2N, Range 6E, MDB&M. HH-51

trib Calaveras River thence San Joaquin River

5-015-05-00-0

viii. Duck Creek; Various unspecified locations within Duck Creek, from Section 15, Township 1N, Range 9E, MDB&M to Section 26, Township 1N, Range 6E, MDB&M.

trib Littlejohns Creek

5-014-00-00-0

ix. North Fork Littlejohns Creek; Various unspecified locations within the North Fork of Littlejohns Creek from Section 19, Township 1N, Range 9E, MDB&M to Section 21, Township 1N, Range 7E, MDB&M.

trib Littlejohns Creek

5-014-00-00-0

x. South Branch of Littlejohns Creek; Various unspecified locations within South Branch of Littlejohns Creek, from Section 31, Township 1N, Range 8E, MDB&M to Section 2, Township 1S, Range 7E, MDB&M.

trib Disappointment Slough thence San Joaquin River Delta Channels

5-602-00-00-0

xi. Bear Creek; Various unspecified locations within Bear Creek from Section 31, Township 4N, Range 8E, MDB&M to Section 3, Township 2N, Range 6E, MDB&M. Paddy Creek: Various unspecified locations within Paddy Creek from

~~Section 7, Township 3N, Range 8E, MDB&M~~ to Section ~~23, Township 3N, Range 7E~~, MDB&M.

5-602-00-00-8 xii. Middle Paddy Creek, Various unspecified locations within Middle Paddy Creek from Section 17, Township 3N, Range 8E, MDB&M to Section 23, Township 3N, Range 7E, MDB&M.

5-602-00-00-8 xiii. South Paddy Creek, Various unspecified locations within South Paddy Creek from Section 20, Township 3N, Range 8E, MDB&M to Section 23, Township 3N, Range 7E, MDB&M.

5-002-37-00 8 xiv. Pixley Slough, Various unspecified locations within Pixley Slough from Section 23, Township 3N, Range 7E, MDB&M to Section 5, Township 2N, Range 6E, MDB&M.

d. Ownership at point of diversion/rediversion.

The applicant does not own land at any of the subsequent points of rediversion on each of the following natural waterways, but either has obtained or will obtain easements as necessary for operation of the project:

Stockton Diverting Canal	Duck Creek	North Fork Littlejohns Creek
N.F. Potter Creek	Calaveras River	South Branch of Littlejohns Creek
S.F. Potter Creek	Littlejohns Creek	Mormon Slough
N.F. Temple Creek	Mosher Creek	Potter Creek
S.F. Temple Creek	Temple Creek	Bear Creek
Lone Tree Creek	Paddy Creek	Middle Paddy Creek
French Camp Slough	South Paddy Creek	Pixley Slough

4. PURPOSE of USE, AMOUNT and SEASON

a.

PURPOSE OF USE	Direct Diversion				Storage		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (cfs)	AMOUNT (af per year)	BEGIN DATE	END DATE	ACRE FEET PER ANNUM	BEGIN DATE	ENDING DATE
Municipal & Ind.	~~100~~	36,000	11/01	4/30			
Water Quality and Fish and Wildlife Preservation and Enhancement	~~700~~	~~252,000~~	11/01	4/30			

b. Total combined amount taken by direct diversion during any one year will be 288,000 AF.

5. **JUSTIFICATION OF AMOUNT**

e. **Municipal**

The district provides treated surface water by contract to the City of Stockton, California Water Service Company and service districts within San Joaquin County, all of which are within the boundaries of the district. The urban areas currently utilize approximately 40,000 ±afa of treated surface water from the district's water treatment plant, but the current urban area demand is ~~64,000~~ ± afa. 1,000 acre-feet annually 6/30/04

h. **Industrial**

The district provides treated surface water by contract to the City of Stockton, California Water Service Company and service districts within San Joaquin County, all of which are within the boundaries of the district. This water is used by a wide variety of industries and demand is based on current demands and planned future uses.

I. **Other**

The district will utilize a portion of the water to be appropriated for creating and enhancing indirect (in-lieu) and/or direct groundwater recharge projects within the district for the primary purposes of water quality protection, overdraft correction, energy conservation and saline water repulsion, and secondary purposes of environmental enhancement and creation of seasonal wildlife habitat. A full description of the project is contained in the Farmington Groundwater Recharge Seasonal habitat Study prepared by Montgomery Watson Harza for the U.S. Army Corps of Engineers Sacramento District in August of 2001. The executive summary of the report is attached.

6. **PLACE OF USE**

a. **Ownership**

Applicant is a public agency with the power to sell water on a retail and wholesale basis. The district will wholesale water by contract to the City of Stockton, California Water Service Company and service districts within San Joaquin County, which entities will in turn retail water to their customers. The district will also acquire fee ownership or leasehold interest in lands used for groundwater recharge ponds and facilities for the project.

b. **Place of Use**

Place of use for all purposes will be within the boundaries of the Stockton East Water District, the Central San Joaquin Water District, the Northern San Joaquin Water District and additional areas within the sphere of influence of the City of Stockton, as depicted on the enclosed map. see July 2006 map

8. COMPLETION SCHEDULE

Construction for Phase 1 of the project could potentially begin by the year ~~2002~~ 2005 and be completed in 2 years. The actual base year would depend on congressional authorization, funding, and other factors. Future phases of the project will continue over the next twenty to thirty years.

9. GENERAL

a. Subdivision

The place of use for Municipal and Industrial Purposes is within the City of Stockton and other developed areas in unincorporated portions of San Joaquin County.

X3386

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO.

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION 31534

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

See attached.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

   a. Person contacted _____ Date of contact _____

      Department _____ Telephone ( ) _____

   b. Assessor's Parcel No. _____

   c. County Zoning Designation _____

   d. Are any county permits required for your project? See attached.
      If yes, check appropriate space below:
      _____ Grading Permit, _____ Use Permit, _____ Watercourse Obstruction Permit, _____ Change of Zoning, _____ General Plan Change, Other (explain):

      _____

      _____

      _____

   e. Have you obtained any of the required permits described above? _____
      If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? _____ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

   Permit type See attached.

   Person (s) contacted _____ Agency _____

   Date of contact _____ Telephone ( ) _____

4. Has any public agency prepared an environmental document for any aspect of your project?
   See attached.

   If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

See attached.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? _____ If so, explain: See attached.

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency?_____

Do you know of any archeological or historic sites located within the general project area?

_____ If so, explain: See attached.

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
   a. Along the stream channel immediately downstream from the proposed point(s) of diversion

   b. Along the stream channel immediately upstream from the proposed point(s) of diversion

   c. At the place(s) where the water is to be used

   Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by * under Question 11 below): See attached.

Tree Dominated Communities
- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
  - Sierran Mixed Conifer
  - White Fir
  - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
  - Blue Oak Woodland
  - Valley Oak Woodland
  - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
  - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities
- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities
- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities
- Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities
- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document qt our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

See attached.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

See attached.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by * below):

See attached.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake?_____
If so, explain:_____

See attached.

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date _____ Signature _____

Kevin Kauffman, General Manager
Stockton East Water District

ATTACHMENT TO APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION
Stockton East Water District
Calaveras River
Revised November 5, 2001

PROJECT DESCRIPTION

1. Stockton East Water District is pursuing a conjunctive use program to recharge the critically overdrafted Eastern San Joaquin County groundwater basin. A core part of that program is obtaining surplus water on local streams, including the old Calaveras River downstream of Belotta. Surplus water will be diverted to recharge basins and allowed to percolate into the groundwater basin. Other methods of groundwater recharge, including unlined flat canals, flooded fields, and in-lieu delivery may also be utilized. The specific details of the project are not yet finalized. The attached executive summary from the Farmington Groundwater Recharge Seasonal Habitat Study provides an overview of the project.

GOVERNMENTAL REQUIREMENTS

2. **Local Approvals**: Government Code Section 53091 provides in pertinent part:

> Zoning ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, or transmission of water . . . .

Consequently, no zoning permits or related approvals will be required from San Joaquin County for any construction to be completed on the project.

3. **State and Federal Permits**: To the extent that federal funds are used for the project, Congressional authorization will be sought. Future phases of the Project will also likely require Section 404 permits under the Clean Water Act from the Army Corps of Engineers, Streambed Alteration Permits from the California Department of Fish and Game, and Water Quality Certifications from the Regional Water Quality Control Board. A full description of these approvals will be outlined when CEQA review of the project is undertaken.

4. **Environmental Documentation**: A public agency has not prepared an environmental document for any aspect of the project. The Army Corps of Engineers preliminarily assessed Environmental Consequences in Chapters II and VII of the Farmington Groundwater Recharge Seasonal Habitat Study, attached. However, these consequences apply to a larger project than that covered by this application. Before this project is undertaken, the applicant will undertake CEQA review of the project.

5. **Waste Discharge**: The project will not generate waste or wastewater containing sewage, industrial chemicals or agricultural chemicals. Construction of facilities for future phases of the project may cause erosion, turbidity or sedimentation which will be fully evaluated in the applicants environmental review process. This process will also determine whether a waste discharge permit is required for construction of the project.

6. **Archeological reports**: Cultural Resources were preliminarily assessed in Chapters II and VII of the Farmington Groundwater Recharge Seasonal Habitat Study, attached. Archeological reports will be prepared as required when the project is undertaken.

ENVIRONMENTAL SETTING

7. **Photographs:** See attached.

8. **Plant Communities**:

Valley Oak Woodland
Eucalyptus
Valley Foothill Riparian
Annual Grassland
Wet Meadow
Riverine
Cropland
Orchard-Vineyard

9. **Trees and Shrubs**: As assessment of the trees and large shrubs required to be removed or destroyed will be undertaken as the project details are completed.

FISH AND WILDLIFE CONCERNS

10. **Typical species of fish:** See attached Chapters II and VII of the Farmington Groundwater Recharge Seasonal Habitat Study, and Appendix A. More specific evaluation of affected fish will be undertaken during the CEQA review.

11. **Typical species of riparian and terrestrial wildlife.** See attached Chapters II and VII of the Farmington Groundwater Recharge Seasonal Habitat Study, and Appendix A. More specific evaluation of affected wildlife will be undertaken during the CEQA review.

12. **Streambed Alteration**: The first phases of the project will utilize existing diversion facilities and will not involve construction or grading-related activity. Additional phases may involve this activity and will be analyzed as the project details are completed.